

Notice of Allowability

Application No.

09/696,537

Examiner

Ling-Siu Choi

Applicant(s)

PEREZ ET AL.

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1713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/18/04.
2. ☒ The allowed claim(s) is/are 7-10.
3. ☒ The drawings filed on 25 October 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Office Action is in response to the Amendment filed October 18, 2004. Claims 1-6 and 11-12 were canceled and claims 7-10 are now pending.

Allowable Subject Matter

2. Claims 7-10 are allowed.
3. The following is an examiner's statement of reasons for allowance:
- The present claims are allowable over the closest references: Van Atta (US 5,632,877), Sylvester (US 5,112,470), and Hellman (EP 0 339 975 A2).

The present invention relates to a casting stand comprising

A	a support rack having a floor sized to cover the bottom opening and a vertical wall extending upward from the floor
B	a notched member pivotally mounted to the support rack above the floor the notch member having a notch therein to receive an upper edge of the enclosure when the enclosure is resting against the vertical wall the notched member capable of rotation between a clamping position and an open position to permit insertion and removal of the enclosure from the support rack the notched member being spring-loaded to bias the notched member toward the clamping position

(summary of claim 7)

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Van Atta discloses an apparatus for securing a parallel plate gel enclosure to a frame to form a liquid-retaining chamber for an electrophoresis buffer, the apparatus comprising a gasket between the frame and the gel enclosure; a housing; a pressure plate movably received inside the housing, defining a cavity within the housing to receive the gel enclosure and frame; a pair of cams rotatably mounted to the housing in engagement with the **pressure plate**; and **means for rotating the cams** to urge the pressure plate toward the cavity such that when the gel enclosure, gasket and frame are received in the cavity, the gel enclosure is pressed against the gasket and frame to form a fluid-tight seal (claim 1). However, Van Atta does not teach or fairly suggest a casting stand for holding a rectangular slab gel enclosure, comprising a **notched member** pivotally mounted to the support rack above the floor.

Sylvester discloses an electrophoresis apparatus comprising a support structure for supporting a gel plate assembly in a generally vertical plane, a pair of upright **side members**, a support plate lying in a vertical plane and extending between the side members, a lower buffer tank for supporting the gel plate assembly between the side members, and an upper buffer tray having a sealing gasket on one side thereof which is engageable with the gel plate assembly adjacent the upper edge thereof upon movement of the upper tray into engagement with the gel plate assembly, wherein the **upper tray is moved into sealing engagement** with the gel plate assembly and away therefrom by a cam disposed in cam slots in the sides of the upper tray and operated by a **handle disposed externally of the side members** and **connected to the cam by a**

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shaft passing through the side members and a roller retainer or locking members are slidably received by each of the side members and include a roller having resilient surface for engagement with the surface of the gel plate assembly for retaining the gel plate assembly in position against the support plate thereby minimizing mechanical stress (abstract). However, Sylvester does not teach or fairly suggest a casting stand for holding a rectangular slab gel enclosure, comprising a **notched member** pivotally mounted to the support rack above the floor.

Hellman discloses an electrophoresis device having a support rails for a gel plate assembly and means for clamping the plate assemblies to the support (abstract). Attention is drawn to Figures 5-6, wherein a clamp (part 80) journalled on a post (part 82) has a handle portion (part 83) (col. 4, lines 41-46). However, Hellman does not teach or fairly suggest a casting stand for holding a rectangular slab gel enclosure, comprising a **notched member** pivotally mounted to the support rack above the floor.

In light of the above discussion, it is evident as to why the present claims are patentable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

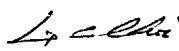
Conclusion

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ling-Siu Choi whose telephone number is 571-272-1098. The examiner can normally be reached on Monday to Friday.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu, can be reach on 571-272-1114.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LING-SUI CHOI
PRIMARY EXAMINER

November 20, 2004